

**Special Meeting Minutes  
Wednesday, July 15, 2009  
Meeting Scheduled Start Time: 10:00 AM**

**BOARD OF SUPERVISORS  
Maricopa County, Arizona  
(and the Boards of Directors of the Flood Control  
District, Library District, Stadium District, Improvement  
Districts, and/or Board of Deposit)**



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

**Board Members**

Max Wilson, District 4, Chairman  
Fulton Brock, District 1  
Don Stapley, District 2  
Andrew Kunasek, District 3  
Mary Rose Wilcox, District 5

**County Manager**

David Smith

**Clerk of the Board**

Fran McCarroll

**Meeting Location**

Sullivan Conference Room  
301 W. Jefferson, 10th Floor  
Phoenix, AZ 85003

## **BOARD OF SUPERVISORS**

The Board of Supervisors of Maricopa County Arizona convened in Special Session at 10:00 AM on Wednesday, July 15, 2009, in the Sullivan Conference Room with the following members present: Max Wilson, Chairman, District 4; Fulton Brock, Supervisor and District 1; Don Stapley, Supervisor, District 2. Absent: Andrew Kunasek, Supervisor, District 3; Mary Rose Wilcox, Supervisor, District 5. Also present: Fran McCarroll, Clerk of the Board; Liz Evans, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

**Chairman's Statement regarding County Attorney Conflict:**

For the record, the Board has previously expressed concerns about the adversarial positions that the county attorney's office has often taken against the board. This concern has caused the Board to retain independent counsel to analyze this apparent ethical conflict and to take actions that may be warranted. The analysis and response is ongoing. In light of these concerns, the Board in no way waives any conflict or ethical issues that exist as a result of the county attorney's presence here.

**Superintendent of Schools**

**1. LICENSE AND MASTER SERVICE AGREEMENT WITH I/O DATA CENTER PHOENIX ONE, LLC**

Approve a License and Master Services Agreement (No.P-50124) between I/O Data Center Phoenix One, LLC and Maricopa County through the Superintendent of Schools, in the not-to-exceed amount of \$114,244.00. The purpose of this Agreement is to provide Internet Bandwidth and Data Center cabinet space in an enhanced building environment. This 36 month license agreement will commence approximately two weeks after execution by the parties. The agreement includes five (5), one-year renewal options. The initial base license fee will be \$2,998 per month plus applicable taxes. Base license fees may increase at 3% per year compounded annually.

I/O Data Center Phoenix One, LLC is located at 615 N. 48th Street in Phoenix. This agreement will provide reliable air conditioning and electrical power, biometric security

and Internet bandwidth. This is I/O Data Center Agreement No. ORD-01504-9HHR8G. (C-37-09-026-3-00)

Brian Hushek, Deputy Budget Director, explained this agreement will provide the Superintendent of Schools with space for Internet Bandwidth and Data Center expansion without exceeding their budget.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilson  
Absent: Kunasek, Wilcox

## **Materials Management**

### **2. MATERIALS MANAGEMENT DEPUTY DIRECTOR POSITION REQUEST**

Approve the creation of an unclassified position (Deputy Director) in the Materials Management Department. This position request is necessary due to the fact that the current Deputy Director participated in the Post Employment Health Enhancement (Retirement) Program (PEHPEP) which requires that the position (#4014) be eliminated. Creation of a new position is necessary to support the procurement consolidation and succession planning.

Also, approve an exemption to the PEHPEP in order to recruit for the newly created Deputy Director with the hiring range of \$25.00/Hour to \$62.26/Hour.

Position #4014, in the Materials Management Department, was vacated as a result of the previous incumbents participation in the 2009 Retirement Health Enhancement Program. The position attributes are as follows:

PCN: 4014  
MRT: Deputy Director  
Status: Classified  
Budgeted Rate: \$55.44

Due to the nature of this position, the Materials Management Department feels it necessary to replace position #4014 with a new position. The new position's attributes will be as follows:

PCN: New/Tbd  
MRT: Deputy Director  
Status: Unclassified  
Budgeted Rate: Up to \$62.26

The requested hiring range is up to \$62.26 and is greater than the mid-point of the market range. Materials Management has achieved \$256,233 in FY 2009-10 budget balancing adjustments in the General Fund, therefore no further reductions are required at this time. The re-organization of Materials Management to include responsibility for Article 5 procurements may require additional funding. At this time, it is unknown what that amount may be and may require additional action by the Board of Supervisors at a later date. (C-73-10-002-M-00)

Wes Baysinger, Materials Management Director, informed the Board of the necessity to fill the Deputy Budget Director position that has become vacant due to retirement. David Smith, County Manager, explained that an administrative reorganization will

expand the scope of oversight for the Materials Management Department and the attributes of this new position encompass that expansion.

Motion to approve by: Supervisor Stapley, Seconded by: Supervisor Brock  
Ayes: Stapley, Brock, Wilson  
Absent: Kunasek, Wilcox

**3. EXECUTIVE SESSION**

Vote to convene in Executive Session to consider the items on the Special Executive Agenda dated July 15, 2009, pursuant to the statutory authority listed for each item.

Motion to approve by: Supervisor Brock, Seconded by: Supervisor Stapley  
Ayes: Stapley, Brock, Wilson  
Absent: Kunasek, Wilcox

**MEETING ADJOURNED**

After discussion of the Executive Agenda items and there being no further business to come before the Board, the meeting was adjourned.

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Max W. Wilson, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board